

Senate File 72 - Introduced

SENATE FILE 72

BY CHELGREN

A BILL FOR

1 An Act relating to the consideration of gender of the parent in
2 the awarding of joint custody of a child.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 598.41, Code 2017, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 3A. In considering what custody
4 arrangement under subsection 2 is in the best interest of the
5 minor child, the court shall not give preference to either
6 parent in the awarding of custody based on that parent's
7 gender. The court shall not presume that a parent, solely
8 because of the parent's gender, is more qualified than the
9 other parent to be awarded legal custody of the child.

10 EXPLANATION

11 The inclusion of this explanation does not constitute agreement with
12 the explanation's substance by the members of the general assembly.

13 This bill provides that in awarding joint legal custody of a
14 child to a parent when the parents do not agree to joint legal
15 custody, the court shall not give preference to either parent
16 in the awarding of custody based on that parent's gender. The
17 court shall not presume that a parent, solely because of the
18 parent's gender, is more qualified than the other parent to be
19 awarded legal custody of the child.